

who, with the exception of myself, are splendid lawyers. They just simply would not go on record as holding the Government legally responsible. We were not going to do that because of these reasons. All of this fertilizer program was occasioned by Executive order and by authority from the Congress. The plaintiffs in their cases, and in all their arguments, admit that never at any time did any employees of the Government of the United States deviate from their orders and their instructions. If that can be the basis of negligence and legal liability, then the judge of a court by the same token is liable for an erroneous decision. If the fire department goes out and tries to put out a fire in your house and fails to put out the fire, then you can sue the fire department and the city for damages.

Another objection we had to that was that if you say, as the Senate was trying to say, that there was legal responsibility—do not kid TIC FORRESTER, do not kid anybody else—if you say that there is no way on earth to shut out insurance companies, the law is absolutely plain. If anybody is entitled to recover legally then it is absurd to say that you would give John Jones a certain thing but you must deny the same to Bill Smith. It simply does not make good sense.

We put in this bill, this substitute, that there is no legal liability upon this Government.

Proceeding from that standpoint I say that instead of this bill's being unconscionable as described, I say it is a most reasonable bill. It shows a compassionate heart and a compassionate spirit upon the part of this House. I am the man who suggested it.

I will tell you know, the only way any bill could come out of this committee was on this basis.

I want to express my thanks for the assistance of the gentleman from Texas [Mr. Brooks], who, I want to tell you, is greatly responsible for the bringing of this bill here today. It was Mr. Brooks who persuaded us to raise the recovery ceilings to \$20,000 instead of \$15,000. Without him there would be no bill.

The only way that you can lock up insurance companies, the only way that you can solve this question that there is no legal liability is to pass this bill. I am only telling you that I want the Senate to stay with it. If they do not stay with it I want the conferees to know that you mean for them to stay with it.

Mr. MILLER of New York. Mr. Speaker, I yield to the distinguished gentleman from Missouri for a consent request.

Mr. SHORT. Mr. Speaker, I ask unanimous consent that following the remarks I made in the Committee of the Whole this afternoon I may include an editorial which appeared in the last Sunday's edition of the Joplin Globe.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. MILLER of New York. Mr. Speaker, I yield back the balance of my time.

Mr. LANE. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. BOYLE], a member of the Committee on the Judiciary.

(Mr. BOYLE asked and was given permission to revise and extend his remarks.)

Mr. BOYLE. Mr. Speaker, I regret that a matter of this consequence comes up at this late hour. However, I can assure everybody present here that the matter received studied and careful consideration in the Judiciary Committee.

I probably am as familiar with this record as anybody in this Congress, and I want to tell you it was a very tough and difficult problem. I want to commend all of my colleagues on the Judiciary Committee for their painstaking approach to this situation.

This is a simple matter as it is resolved in this bill. I am one who with the gentleman from Georgia [Mr. FORRESTER] feels that there is no legal liability as far as paying these claims is concerned.

Mr. FORRESTER. Mr. Speaker, will the gentleman yield?

Mr. BOYLE. I yield.

Mr. FORRESTER. The great majority of the members of the Committee on the Judiciary also felt that way and insisted on that. Is not that true?

Mr. BOYLE. That is a fact. This is a bill that is a result of true, honest compromise. The committee felt that the judiciary being the highest court in the land, being a court of conscience, recognized that that which ought to be done should be done. We feel that in this bill we have done that; we feel we have satisfied the conscience of this Congress, that this was a disaster, that a lot of people were killed and injured and a lot of property damaged as a result of this occurrence.

We have spelled out categorically so that there will not be any possible question of legal liability that this is a gratuity, this is merely a contribution, and that the door should not be left open for any subrogated claims to come in on the basis that there was a lack of real honest and fair treatment.

I submit that this bill is a law of conscience and that there is a lot of tender charity in it, and I recommend, Mr. Speaker, that it be passed.

Mr. LANE. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. THOMPSON], author of the House bill.

Mr. THOMPSON of Texas. Mr. Speaker, there is very little more to be said. I express deep gratitude to the gentlemen who have preceded me and who have presented the case well and who have spent many hours trying to do justice to my people.

There is only one piece of information I should like to give you. This comes from the studied opinion of the attorneys who have been with the case for the past 8 years. It deals with the amount that may be paid under the present bill. It is estimated the death claims will not be over \$5 million, it is estimated that personal injury claims will be \$1½ million and not over that and it is estimated that property damage will not be over \$500,000, which makes a total of \$7 million. That is a very modest sum.

Mr. DAWSON of Utah. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of Texas. I yield to the gentleman from Utah.

Mr. DAWSON of Utah. Do any of the attorneys participate in these funds that might be appropriated?

Mr. THOMPSON of Texas. The attorneys are paid fees, yes, of course.

Mr. Speaker, to bring the Texas City disaster legislation into proper focus, let us first review the history of the case. There are some points which need not be discussed because, so far as I know, everyone who has paid any attention to the case concedes that they are true.

First, we all agree that the explosions were caused by a concoction labeled fertilizer grade ammonium nitrate. There was no question that the product was manufactured by and for the United States Government in Army ordnance plants, that it was under Government control at all times, and that it was being shipped to Europe as a part of our foreign-aid program.

I shall not discuss the question of negligence because for the present consideration of the House, it is not material. The fact that the product which exploded was something made by and under the control of the United States Government makes the people who were victims of the explosion as entitled to remuneration as were the victims of the Port Chicago explosion during the war.

In that case, an ammunition ship blew up in the harbor doing great damage to Port Chicago and its people. That case was handled in a manner similar to that which has been presented to you today. The Texas City case has one important difference. Between the Port Chicago explosion and the Texas City explosion, the Congress had passed what is known as the Federal Tort Claims Act.

The victims filed their claims in the Federal district court, which held in favor of the claimants. It was appealed and finally the Supreme Court, on a 4 to 3 decision, held that the Tort Claims Act did not apply. Three of the Justices held that it did. The question of responsibility was not decided by the Supreme Court. They merely said that the law did not apply.

When this decision was rendered in 1953, I discussed the matter at considerable length with the then chairman of the Committee on the Judiciary, the gentleman from Illinois [Mr. REED] and with other distinguished members of that committee. We concluded that since there was, evidently, reason to believe that the Government was responsible, the people should still have a forum in which to seek redress; and that since the Supreme Court had held that the Tort Claims Act did not apply, there remained but one such forum and that was the Congress.

The prospect of filing several thousand private claims did not appeal to me and because of the magnitude of the case, financially and otherwise, it seemed best to first establish whether or not the Government was responsible.

To accomplish this, I introduced House Resolution 296 in June of 1953. It provided that the Committee on Judiciary or

a subcommittee thereof should make a full and complete investigation and study of the merits, if any, of all claims against the United States resulting from the explosions. It further provided that that committee should make recommendations as to subsequent procedure.

After extensive hearings in Texas City, Galveston, and Washington, that committee reported that the Government was responsible and recommended passage of legislation to settle the claims. In June of the following year, this House passed such legislation without a dissenting vote. It was late in the session and although the Senate passed similar legislation, it differed somewhat from the House measure and there was not sufficient time to compose the differences before adjournment. For that reason, the Texas City claimants come back to this Congress with exactly the same merits as have been acted upon favorably in both bodies.

The bill which is before you today provides for a very small settlement. It provides for a limit on death claims, claims for personal injury, and for property damage of \$20,000. If the figures remain unchanged, and so far as I am concerned I am not going to suggest that they be amended here today, the total outlay should not exceed \$5 million for death claims, \$1,500,000 for personal injury, and \$500,000 for uninsured damage to property.

I point out to you, however, that while the majority of the death claims will fall well below the \$20,000 limit and while most of the injury claims would also come well within it, there are some of the latter which ought to be compensated more liberally. Fathers who were injured so seriously that they cannot earn a livelihood, men with legs blown off, cases like that ought to have more than \$20,000 compensation.

I also point out that these death and injury claims should not be subject to deductions of amounts received from insurance companies. I realize the good intention of the sponsors of the substitute to the Senate measure, which is under consideration today. I agreed with them when they insisted on leaving subrogated claims out of the bill entirely.

However, if the limits now in the bill prevail, some very meritorious corporations will be shut out. One of these is the city of Texas City which suffered a loss of \$231,000. They lost their entire volunteer fire department which was on the dock fighting the fire when the explosion occurred. Much of their street and sewer system was destroyed and had to be rebuilt. Public buildings were seriously damaged. Possibly in conference with the other body, which has passed unanimously a more liberal bill, these payments may be liberalized.

Under the present bill, the total claims should not be more than \$7 million—\$5 million for death claims, \$1,500,000 for personal injury, and \$500,000 for uninsured damage to property.

I urge passage of the bill and I trust that the conference committee will act promptly and grant this meager compensation to my people who have waited 3 years for their Government to pay its

(Mr. THOMPSON of Texas asked and was given permission to revise and extend his remarks.)

The SPEAKER. The question is on suspending the rules and passing the bill. The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

The title was amended so as to read: "An act to provide for settlement of claims resulting from the disaster which occurred at Texas City, Tex., on April 16 and 17, 1947."

Mr. LANE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 1077) to provide for settlement of claims for damages resulting from the disaster which occurred at Texas City, Tex., on April 16 and 17, 1947, with House amendment thereto, insist on the House amendment and ask for a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. CELLER, LANE, FORRESTER, MILLER of New York, and HYDE.

#### FEDERAL EXECUTIVE PAY ACT OF 1955

Mr. MURRAY of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 7619) to adjust the rates of compensation of the heads of the executive departments and of certain other officials of the Federal Government, and for other purposes.

The Clerk read as follows:

*Be it enacted, etc., That this act may be cited as the "Federal Executives Pay Act of 1955."*

#### TITLE I—BASIC COMPENSATION FOR HEADS OF EXECUTIVE DEPARTMENTS AND OTHER FEDERAL OFFICIALS

SEC. 101. The annual rate of basic compensation of the head of each executive department and of the Secretary of Defense shall be \$25,000.

SEC. 102. The annual rate of basic compensation of the Deputy Secretary of Defense, of the Under Secretary of State, of the Director, Office of Defense Mobilization, of the Comptroller General of the United States, and of the Director of the Bureau of the Budget shall be \$22,500.

SEC. 103. The annual rate of basic compensation of the Secretary of the Army, of the Secretary of the Navy, of the Secretary of the Air Force, of the Director of the Federal Bureau of Investigation, Department of Justice, and of the Director of Central Intelligence shall be \$22,000.

SEC. 104. Section 105 of title 3 of the United States Code is amended to read as follows:

*"Compensation of secretaries and executive, administrative, and staff assistants to President*

*"§ 105. The President is authorized to fix the compensation of the six administrative*

assistants authorized to be appointed under section 106 of this title, of the Executive Secretary of the National Security Council, and of five other secretaries or other immediate staff assistants in the White House Office, as follows: 2 at rates not exceeding \$22,500 per annum, 3 at rates not exceeding \$21,000 per annum, and 7 at rates not exceeding \$19,000 per annum."

SEC. 105. The annual rate of basic compensation for each of the offices or positions listed in this section shall be \$21,000, as follows:

- (1) Each Under Secretary of an executive department (other than the Department of State);
- (2) The Deputy Postmaster General;
- (3) The Administrator of Veterans' Affairs;
- (4) The Administrator of General Services;
- (5) The Administrator of the Housing and Home Finance Agency;
- (6) The Director of the International Cooperation Administration;
- (7) The Deputy Director of the Office of Defense Mobilization;
- (8) The Administrator of the Federal Civil Defense Administration;
- (9) The Chairman of the Renegotiation Board;
- (10) The Director of the United States Information Agency;
- (11) The President of the Export-Import Bank of Washington;
- (12) The Governor of the Farm Credit Administration;
- (13) The Chairman of the Council of Economic Advisers;
- (14) The Associate Director of the Federal Bureau of Investigation, Department of Justice.

SEC. 106. The annual rate of basic compensation for each of the offices or positions listed in this section shall be \$20,000, as follows:

- (1) The Assistant Comptroller General of the United States;
- (2) The Deputy Director of the Bureau of the Budget;
- (3) The Under Secretary of the Army;
- (4) The Under Secretary of the Navy;
- (5) The Under Secretary of the Air Force;
- (6) The Deputy Administrator of Veterans' Affairs;
- (7) The Director of the Federal Mediation and Conciliation Service;
- (8) The Chairman of the United States Civil Service Commission;
- (9) Each member (other than the Chairman) of the Council of Economic Advisers;
- (10) Each member of the Board of Governors of the Federal Reserve System;
- (11) Each member of the Board of Directors of the Federal Deposit Insurance Corporation;
- (12) The Comptroller of the Currency;
- (13) Each Deputy Under Secretary of the Department of State;
- (14) The First Vice President of the Export-Import Bank of Washington;
- (15) The Chairman of the Federal Maritime Board, Department of Commerce;
- (16) The Deputy Director of the United States Information Agency;
- (17) The Deputy Administrator of the Federal Civil Defense Administration;
- (18) The Deputy Director of the International Cooperation Administration;
- (19) The Deputy Director of Central Intelligence.

SEC. 107. (a) The annual rate of basic compensation for each of the offices or positions listed in this section shall be \$19,000, as follows:

- (1) The Assistant to the Director of the Federal Bureau of Investigation, Department of Justice;
- (2) Each Assistant Secretary of an executive department;
- (3) Each Assistant Postmaster General;

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(4) The Fiscal Assistant Secretary of the Treasury;  
 (5) The Director of the National Advisory Committee for Aeronautics;  
 (6) Each member of the Civil Aeronautics Board;  
 (7) Each member of the Federal Communications Commission;  
 (8) Each member of the Federal Power Commission;  
 (9) Each member of the Federal Trade Commission;  
 (10) Each member of the Interstate Commerce Commission;  
 (11) Each member of the National Labor Relations Board;  
 (12) Each member of the National Media- tion Board;  
 (13) Each member of the Railroad Retirement Board;  
 (14) Each member of the Securities and Exchange Commission;  
 (15) Each member of the Board of Directors of the Tennessee Valley Authority;  
 (16) Each member (other than the Chairman) of the United States Civil Service Commission;  
 (17) Each member of the United States Tariff Commission;  
 (18) The General Counsel of the National Labor Relations Board;  
 (19) The Deputy Administrator of General Services;  
 (20) The Archivist of the United States;  
 (21) The Commissioner of Internal Revenue;  
 (22) The Commissioner of Immigration and Naturalization;  
 (23) The Commissioner of Public Roads;  
 (24) The Administrator of Civil Aeronautics;  
 (25) The Administrator of the Rural Electrification Administration;  
 (26) The Counselor of the Department of State;  
 (27) The Governor of Alaska;  
 (28) The Governor of Hawaii;  
 (29) The Governor of the Virgin Islands;  
 (30) The Governor of the Canal Zone;  
 (31) The Public Printer;  
 (32) The Librarian of Congress;  
 (33) The Architect of the Capitol;  
 (34) The President of the Federal National Mortgage Association, Housing and Home Finance Agency;  
 (35) The Deputy Administrator of the Housing and Home Finance Agency;  
 (36) Each member of the Home Loan Bank Board, Housing and Home Finance Agency;  
 (37) The Public Housing Commissioner, Housing and Home Finance Agency;  
 (38) The Federal Housing Commissioner, Housing and Home Finance Agency;  
 (39) Each Assistant Secretary of the Army;  
 (40) Each Assistant Secretary of the Navy;  
 (41) Each Assistant Secretary of the Air Force;  
 (42) The Special Assistant to the Secretary (Health and Medical Affairs), Department of Health, Education, and Welfare;  
 (43) The Chairman of the Military Liaison Committee to the Atomic Energy Commission, Department of Defense;  
 (44) The Administrator, Bureau of Security and Consular Affairs, Department of State;  
 (45) Each member of the Board of Directors of the Export-Import Bank of Washington;  
 (46) Each member of the Foreign Claims Settlement Commission of the United States;  
 (47) Each member (other than the Chairman) of the Federal Maritime Board, Department of Commerce;  
 (48) Each Assistant Director of the Bureau of the Budget;  
 (49) Each member (other than the Chairman) of the Renegotiation Board;  
 (50) The Administrator, Wage and Hour and Public Contracts Divisions, Department

(51) The Director of the National Science Foundation;  
 (52) Each member of the Subversive Activities Control Board;  
 (53) The Solicitor, General Counsel, Legal Adviser, or other chief legal officer of each executive department (excluding the Department of Justice);  
 (54) The 10 assistant directors, International Cooperation Administration, designated under section 1 (d) of Reorganization Plan No. 7 of 1953 and section 527 (b) of the Mutual Security Act of 1954, respectively;  
 (55) The Administrator of the St. Lawrence Seaway Development Corporation;  
 (56) The Administrator of the Small Business Administration.  
 (b) The first sentence of section 603 of title 28 of the United States Code (relating to the annual compensation of the Director of the Administrative Office of the United States Courts) is amended to read as follows: "The Director shall receive a salary of \$19,000 a year."  
 SEC. 108. The annual rate of basic compensation for each of the offices or positions listed in this section shall be \$17,500, as follows:  
 (1) The Associate Director of the Federal Mediation and Conciliation Service;  
 (2) The Director of Selective Service;  
 (3) Each Commissioner of the Indian Claims Commission;  
 (4) Each Commissioner of the United States Court of Claims;  
 (5) The Assistant Architect of the Capitol;  
 (6) The Chief Assistant Librarian of Congress;  
 (7) The Deputy Public Printer.  
 SEC. 109. The annual rate of basic compensation for each of the offices or position listed in this section shall be \$17,000, as follows:  
 (1) The Treasurer of the United States;  
 "GS-17----- 13,975 14,190 14,405 14,620  
 GS-18----- 14,800"  
 and inserting in lieu thereof:  
 "GS-17----- 13,975 14,190 14,405 14,620 14,835  
 GS-18----- 16,000".  
 (b) The rates of basic compensation of officers and employees to whom this section applies shall be initially adjusted as follows:  
 (1) If the officer or employee is receiving basic compensation immediately prior to the effective date of this act at a scheduled rate of grade 17 or 18 of the General Schedule, he shall receive a rate of basic compensation at the corresponding scheduled rate in effect on and after such date;  
 (2) If the officer or employee, immediately prior to the effective date of this act, is in a position in grade 17 of the General Schedule and is receiving basic compensation at a rate between two scheduled rates of such grade, he shall receive a rate of basic compensation at the higher of the two corresponding rates in effect on and after such date;  
 "18----- 12,500 12,800 13,100 13,400 13,700 14,000 14,300  
 19----- 13,600 13,900 14,200 14,500 14,800  
 20----- 14,800"  
 and inserting in lieu thereof:  
 "18----- 12,800 13,100 13,400 13,700 14,000 14,300 14,600  
 19----- 14,000 14,300 14,600 14,900 15,200  
 20----- 16,000".  
 SEC. 203. Section 3 of the act of January 3, 1946, as amended (38 U. S. C., sec. 15b), is hereby amended as follows:  
 (1) The first paragraph of such section 3 as amended by paragraph (1) of the first section of the act of October 12, 1949 (63 Stat. 764), and the second and third paragraphs of subsection (b) of such section 3 as amended by paragraphs (3) and (4) of the first section of such act of October 12, 1949, are hereby redesignated as subsections "(a)", "(c)", and "(d)", respectively, of section 3 of the act of January 3, 1946;

(2) The Commissioner, Federal Supply Service, General Services Administration;  
 (3) The Director of the Bureau of Prisons, Department of Justice;  
 (4) The Commissioner, Public Buildings Service, General Services Administration;  
 (5) The Commissioner of Social Security, Department of Health, Education, and Welfare;  
 (6) The Commissioner of Reclamation, Department of the Interior;  
 (7) The Commissioner of Customs, Department of the Treasury;  
 (8) The Commissioner of Narcotics, Department of the Treasury;  
 (9) The Administrator, Bonneville Power Administration;  
 (10) The Deputy Administrator of the St. Lawrence Seaway Development Corporation;  
 (11) The Director, Division of Slum Clearance and Urban Redevelopment, Housing and Home Finance Agency;  
 (12) The Director of Housing Research, Housing and Home Finance Agency;  
 (13) Each Deputy Administrator, Small Business Administration.  
 SEC. 110. Except as otherwise specifically provided in this title, the chairman or other head of each independent board or commission in the executive branch shall receive, during the period of his service as chairman or other head of such board or commission, annual basic compensation at a rate which is \$500 more than the annual rate of basic compensation prescribed by this title for the other members of such board or commission.  
 TITLE II—INCREASES IN MAXIMUM LIMITATIONS ON BASIC COMPENSATION UNDER CLASSIFICATION ACT OF 1949 AND OTHER LAWS  
 SEC. 201. (a) The compensation schedule for the General Schedule contained in section 603 (b) of the Classification Act of 1949, as amended, is amended by striking out:  
 (3) If the officer or employee, immediately prior to the effective date of this act, is in a position in grade 17 of the General Schedule and is receiving basic compensation at a rate which is in excess of the maximum scheduled rate of his grade as provided in this section, he shall continue to receive such higher rate of basic compensation until (A) he leaves such position, or (B) he is entitled to receive basic compensation at a higher rate by reason of the operation of the Classification Act of 1949, as amended; but when such position becomes vacant, the rate of basic compensation of any subsequent appointee thereto shall be fixed in accordance with such act, as amended.  
 SEC. 202. The Postal Field Service Schedule in section 301 (a) of the Postal Field Service Compensation Act of 1955 (Public Law 68, 84th Cong.) is amended by striking out:  
 (2) The last sentence of section 3 (b) is amended to read: "During the period of his service as such, the Chief Medical Director shall be paid a salary of \$17,800 a year."  
 (3) The last sentence of section 3 (c), as redesignated by paragraph (1) of this section, is amended to read: "During the period of his service as such, the Deputy Chief Medical Director shall be paid a salary of \$16,800 a year."; and  
 (4) That portion of the first sentence of section 3 (d), as redesignated by paragraph (1) of this section, which precedes the pro-

also in such sentence is amended to read: "Each Assistant Chief Medical Director shall be appointed by the Administrator upon the recommendation of the Chief Medical Director and shall be paid a salary of \$15,800 a year:"

SEC. 204. (a) Subsection (c) of the first section of the act of August 1, 1947, as amended (5 U. S. C., secs. 171p, 230, 476, and 626t; 50 U. S. C., sec. 158), relating to limitations on rates of basic compensation for research and development positions requiring the services of specially qualified scientific or professional personnel in the Department of Defense and in the National Advisory Committee for Aeronautics, is amended (1) by striking out "\$10,000" and inserting in lieu thereof "\$12,500" and (2) by striking out "\$15,000" and inserting in lieu thereof "\$17,500."

(b) Section 208 (g) of the Public Health Service Act, as amended (42 U. S. C., sec. 210 (g)), relating to limitations on rates of basic compensation for research and development positions requiring the services of specially qualified scientific or professional personnel in the Public Health Service, is amended (1) by striking out "\$10,000" and inserting in lieu thereof "\$12,500" and (2) by striking out "\$15,000" and inserting in lieu thereof "\$17,500."

(c) Section 12 of the act of May 29, 1884, as amended (62 Stat. 198; 21 U. S. C., sec. 113a), relating to the maximum limitation on basic compensation for positions of technical experts or scientists for research and study of foot-and-mouth disease and other animal diseases, is amended by striking out "\$15,000" and inserting in lieu thereof "\$17,500."

(d) The amendments contained in subsections (a) and (b) of this section shall not affect the authority of the United States Civil Service Commission or the procedure for fixing the pay of individual officers or employees under the provisions of law amended by such subsections (a) and (b); except that the rate of basic compensation in effect immediately prior to the effective date of this act of any officer or employee to whom the provisions of law amended by this section apply, which is less than a basic rate of \$12,500 per annum, shall be increased to such rate on such effective date.

#### TITLE III—GENERAL PROVISIONS

SEC. 301. The following provisions of law are hereby repealed:

(1) The act entitled "An act to increase rates of compensation of the heads and assistant heads of executive departments and independent agencies," approved October 15, 1949 (Public Law 359, 81st Cong.; 63 Stat. 880), except section 2 (b), section 6 (b), section 6 (c), section 6 (d), and section 9 thereof;

(2) That part of the paragraph under the heading "Federal Bureau of Investigation" and under the subheading "Salaries and expenses" contained in title II (the Department of Justice Appropriation Act, 1956) of the Departments of State and Justice, the Judiciary, and related agencies Appropriation Act, 1956 (Public Law 133, 84th Cong.), which reads: "Provided, That the compensation of the Director of the Bureau shall be \$20,000 per annum so long as the position is held by the present incumbent"; and

(3) That part of the first paragraph under the heading "National Advisory Committee for Aeronautics" contained in title I of the Independent Offices Appropriation Act, 1956 (Public Law 112, 84th Cong.), which reads "one Director at not to exceed \$17,500 per annum so long as the position is held by the present incumbent";

SEC. 302. Nothing contained in this act shall be held or considered to affect the last proviso in the paragraph under the heading "Federal Prison System" and under the subheading "Salaries and Expenses, Bureau of

Prisons" of the Department of Justice Appropriation Act, 1956) of the Departments of State and Justice, the Judiciary, and related agencies Appropriation Act, 1956 (Public Law 133, 84th Cong.), which reads "Provided further, That hereafter the compensation of the Director of the Bureau shall be \$17,500 per annum so long as the position is held by the present incumbent."

SEC. 303. The rate of basic compensation of any officer or employee of the Federal Government which is in effect immediately prior to the effective date of this act shall not be reduced by reason of the enactment of this act.

SEC. 304. This act shall take effect at the beginning of the first pay period following the date of enactment of this act.

The SPEAKER. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MURRAY of Tennessee. Mr. Speaker, I yield myself 5 minutes.

(Mr. MURRAY of Tennessee asked and was given permission to revise and extend his remarks.)

Mr. MURRAY of Tennessee. Mr. Speaker, this legislation is known as the Federal executive pay bill. There are about 300 executive positions covered in this bill. The cost of it is approximately \$1 million per year. There are 8 salary brackets in the bill, ranging from \$25,000 to \$17,000 a year.

In the beginning a proposal was sent down to me as chairman of the Committee on the Post Office and Civil Service setting forth salaries up to \$27,500 for members of the Cabinet and certain other executive positions. I refused to introduce such a bill and I sent back word that I did not propose to sponsor any executive pay legislation which provided that any executive in our Government, outside of members of the Cabinet, shall be paid more than Members of Congress. So thereupon a new proposal was sent down to me as chairman of the committee.

After many, many hours of study and many conferences I introduced a bill which was not entirely the exact proposal sent down to me by the administration.

Now, this bill before you today provides that the 10 members of the Cabinet shall receive a salary of \$25,000. Their present salary is \$22,500, which makes an increase of only \$2,500 in their salary. In the \$22,500 bracket, which is our salary, there are only 7 members of the executive departments who are in this class. Outside of the members of the Cabinet, there are only seven persons in this bill who receive as much as Members of Congress. In the next bracket of \$22,000 there are only 5 executives. In the next bracket of \$21,000 there are 24 executives. In the next bracket of \$20,000 there are 29 executives. In the bracket of \$19,000 there are 190 executives. This is the largest bracket, because this bracket includes members of

ent boards. The next bracket of \$17,500 includes 19 executives and the final bracket of \$17,000 includes 15 officials of our Government.

The last increase given to our executives was in the Executive Pay Act of 1949. These officials in this act have not received any increase in pay for 6 years, since 1949. Since that time there have been 2 pay bills for classified employees, one in 1951 amounting to 10 percent and another pay bill of 7.5 percent this year. Also, Congress has seen fit to increase its salary this year, and certainly we want to extend the same treatment to our executives as we do to ourselves and to our classified personnel.

I can assure you that this bill, containing about 300 positions, was prepared with much care and deliberation. The ranking minority member of the committee, the gentleman from Kansas [Mr. REES], and I collaborated together and held many conferences with officials who are interested, and we prepared our own bill. I certainly hope the House will go along with this bill. It is fair; it is just and reasonable and provides a very moderate increase to these officials. The pay raises in this bill are from \$2,500 to \$4,000. I appeal to you to support your committee.

Basically, this bill is a revision of the Executive Pay Act of 1949. The only change in a major rate in the Executive Pay Act since 1949 was an \$800 increase for the group originally carried in the bill at \$14,000. This was in order to correspond to the increase in the maximum for the Classification Act made in 1951. All other rates of the Executive Pay Act, that is, those at \$15,000 or more a year have remained unchanged since their original establishment in 1949.

Since 1949 there have been substantial increases in pay for Federal employees generally. Public Law 201, 82d Congress, provided a 10 percent increase but not less than \$300 per annum nor more than \$800 per annum, in the rates of the Classification Act and related groups. Public Law 94, 84th Congress, provided a 7½ percent increase for the same groups. Substantial increases were made in the salary schedules of the postal field service by Public Law 204, 82d Congress, and Public Law 68, 84th Congress. The salary rates of Members of Congress and of Judiciary were increased effective March 1, 1955, by Public Law 9, 84th Congress.

However, there has been no general change in the levels of salary rates of heads and assistant heads of departments and agencies and related positions in the executive branch. Until recently, there has been no comprehensive approach to revising the Executive Pay Act.

In the meantime, nevertheless, there has been much separate legislation fixing salaries for executive positions outside the Executive Pay Act. Since 1949 about 20 separate acts of Congress and reorganization plans have fixed rates for about 50 comparable positions outside the Executive Pay Act; some of these are heads and assistant heads of recently created organizations.



Title I of the bill (a) increases the rates of the Executive Pay Act of 1949, and (b) brings it content up to date by eliminating references to obsolete or abolished positions and by consolidating or replacing many individual salary-fixing provisions in existing law.

Title I covers 299 positions at an annual cost of \$1,115,000.

Title II increases the maximum rate for employees paid under the Classification Act. It increases GS-18 from the present rate of \$14,800 to \$16,000 a year. This was the only rate of the Classification Act of 1949 which was not increased by the recently approved employees salary increase. It makes a similar adjustment in the postal field-service schedules.

Also, title II contains adjustments in the pay for medical directors in the Veterans' Administration.

Section 204 of title II provides for adjustments in the salary rates of scientific and professional positions. These positions are limited in number, and the rates range from \$10,000 to \$15,000 a year. The new rate range would be from \$12,500 to \$17,500 a year.

This legislation was requested by the President in a letter to me as chairman of the House Post Office and Civil Service Committee. The President in his letter outlined the general principles which he believed should be followed in making this adjustment in executive salaries.

The President stated in his letter with respect to executive salaries that "the Cabinet rate be increased to a level of \$25,000." With this benchmark as an important guide, this bill organizes the offices, positions, and rates below Cabinet level in such a way as to produce, in proper and logical relationship between responsibilities on the one hand, and salary rates on the other.

In general, the salary levels of the bill are as follows: First, the Cabinet office level set at \$25,000 a year. The next is at \$22,500 which includes such positions as Deputy Secretary of Defense, Director of Office of Defense Mobilization, Comptroller General, and Director of the Bureau of the Budget. At \$22,000 are such positions as the Secretaries of the Army, Navy, and Air Force. The next group are positions established at a salary of \$21,000 a year and includes the Administrators of most of the independent establishments such as the Administrator of the Veterans' Administration and the Administrator of the General Services Administration.

The next group at \$20,000 a year includes positions such as the Comptroller of the Currency and members of certain boards and commissions. The next group, which is by way the largest group, contains members of most boards and commissions and has a salary rate of \$19,000 a year. The next group at \$17,500 includes such positions as Commissioner of the Indian Claims Commission and Commissioners of the United States Court of Claims.

The next group at \$17,000 a year includes such positions as Commissioner of Customs, Commissioner of Narcotics, and so forth.

Mr. GROSS. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, I want to commend the gentleman from Tennessee [Mr. MURRAY] and the gentleman from Kansas [Mr. REES] and the members of the committee who have worked very diligently and effectively on this important measure.

I think the gentleman from Tennessee put his finger on the nub of the problem when he said that very properly in this Congress we have adjusted and brought up to date the pay of the legislative branch of the Government and the judicial branch of the Government. I, believe we all recognize that following that precedent—and, as I say, it was a good precedent, which I supported; I did the best I could to bring it to passage—but, we must all recognize that these top people in the executive branch of the Government, in positions of extreme responsibility, where their labors are necessarily burdensome and where they are working day in and day out and many times through the night, are likewise entitled to an increase in their pay to bring them up to date. I do not need to remind you, because it is something that has been said to us before not only by the present occupant of the White House but by occupants of the White House preceding him in my time, that they find it increasingly difficult to get able people to give up salaries at a much higher figure in private life to come down here in the service of the Government.

It is bad enough as it is, and certainly we cannot expect our Federal Government and the executive branch of the Government to continue to function efficiently, as it should, unless we are able to attract the people with talent and capacity we need in the Government for these assignments.

As the gentleman from Tennessee [Mr. MURRAY] pointed out, the original suggestions of the administrative branch of the Government were quite a bit in excess of the figures that are here presented. But I think I can say to you with complete assurance that this measure is acceptable to the administration. While it does not go in some particulars as far as they would like to have it go, it certainly is very obviously a step in the right direction. I sincerely hope that without too much delay we shall proceed to the passage of this measure.

Mr. CRETELLA. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield.

Mr. CRETELLA. I should like to ask the chairman of the committee, the gentleman from Tennessee [Mr. MURRAY], a question.

On page 5 of the bill, each assistant secretary of an executive department is provided for. What arrangement has been made for career assistant secretaries?

Mr. MURRAY of Tennessee. I might state that the career secretaries are under the Classification Act. The top salaries of classified employees are raised from \$14,800 to \$16,000.

Mr. CRETELLA. Then I understand that the career secretaries are taken care of under the Classification Act?

Mr. MURRAY of Tennessee. That is correct.

Mr. HALLECK. As a matter of fact, when we dealt with the matter of pay in the legislative establishment and with the matter of pay for the judiciary, and now as we are dealing with the pay of people in the executive branch in these responsible positions, we have kept, and we must keep, in mind that in recent years the classified employees and the postal employees have had successive raises, one after another, that have kept them pretty well in line with the advance in the cost of living. But these people we seek to deal with here have not had that treatment.

Mr. GROSS. Mr. Speaker, I yield myself 5 minutes.

(Mr. GROSS asked and was given permission to revise and extend his remarks.)

Mr. GROSS. Mr. Speaker, it is not my intention to labor this issue, but there are a few facts that the Members of the House ought to have before they vote upon this provision.

In the first place, the Committee on Post Office and Civil Service was called to meet at 10 o'clock last Wednesday morning. At approximately 10:45 o'clock we still had no bill before us, no executive pay raise bill. Somewhere around 10:45 or between that time and 11 o'clock a carrier pigeon arrived with copies of this bill.

What I am saying is that there has been not a single moment of hearings upon this bill. It was considered in committee for about 30 minutes, between 30 and 45 minutes, and voted out to the floor of the House.

Mr. MURRAY of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Yes.

Mr. MURRAY of Tennessee. The bill was fully explained by me to the committee, and does not the gentleman know that only three members of the committee, including himself, voted against it?

Mr. GROSS. Certainly that is correct. There were only three members of the committee who voted against it. But the gentleman does not dispute the fact that the bill was still hot off the printing presses when we got it. We had never seen a copy of the bill before. The gentleman will also bear me out that not one moment of hearings was held in justification of this proposed legislation.

Mr. Speaker, I should like to call attention to the letter from the White House to the chairman of the committee, the gentleman from Tennessee [Mr. MURRAY] in connection with this bill. The President said, in part:

For 85 years the pay for Cabinet members has been 50 to 60 percent higher than the pay of Members of Congress. I have always felt that this differential has been excessive, and was pleased when the Members' pay was recently increased. The effect of Public Law 9 was to put congressional pay on the same level as that of Cabinet officers. Reestablish-

lishment of the traditional relationship would require—

And so forth. I was not aware until I read that letter that Cabinet officers and perhaps others in Government are traditionally entitled to higher pay than Members of Congress. I thought it was upon a basis of justification that Cabinet officers and other officers of the Government are paid, but I learn to my dismay that the increase in pay proposed here for Cabinet officers and other officers of Government is based upon a traditional relationship over that of Members of Congress. If we are going to deal in tradition perhaps some attention ought to be given to the Cadillacs, chauffeurs, special planes, and a few other things that are furnished Cabinet officers and others.

Let us take a look at this bill. I am not fully acquainted with all its provisions, because, as I stated before, no hearings were held. Members of the committee have had no particular opportunity to acquaint themselves with all the details. But let me tell you that these increases run from 8.1 to 37.5 percent.

Mr. LONG. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Louisiana.

Mr. LONG. This is an administration bill and a "must"; is it not?

Mr. GROSS. It is not a "must" with me and I doubt that it is a "must" with the gentleman from Louisiana.

Let me repeat, these increases go from 8.1 percent to 37.5 percent, notwithstanding the fact that back in 1949 a pay increase was voted for the executive branch of the Government which provided for increases in some instances of approximately 100 percent. So it could be possible that with this bill some people are being increased 137.5 percent since 1949. I regret that I have not had time to make accurate totals in this respect.

Mr. MURRAY of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. MURRAY of Tennessee. Will the gentleman cite one particular example of what he is stating?

Mr. GROSS. The gentleman well knows there were some increases in 1949 that went from approximately \$10,000 to \$20,000.

Mr. MURRAY of Tennessee. What cases are those, may I ask the gentleman from Iowa?

Mr. GROSS. I do not have them here but the gentleman knows that to be approximately the fact.

Mr. MURRAY of Tennessee. No; I do not know it.

Mr. GROSS. I will be glad to present the gentleman with some figures later on.

I would not be opposed to raising some salaries if we were getting more efficiency out of some people over including the Department of Defense which suddenly discovered, a few days ago, \$302 million under some mattress or on some shelf—\$302 million they did not know they had. And some of these employees in the Foreign Operations Ad-

days ago, they had \$66 million they did not know they had. I would be perfectly willing to pay people in Government if we were getting value received, but in all too many instances I say to you that we are not.

Mr. MURRAY of Tennessee. May I say to my friend, the gentleman from Iowa, that I had thought that extensive hearings were not necessary since many, many hours were spent in the planning of this bill. I thought in view of the fact that Members of Congress had already increased their salaries 50 percent and had given two increases to the classified and postal employees since 1949, everyone should agree we should treat these executive officers fairly, reasonably, and right, just as this bill does.

Mr. GROSS. I know of no reason why a Cabinet officer should be paid more than a Member of Congress. If the gentleman has some good reason for it, let him state it. I see no justification for this pay increase. We did not have any real justification before the committee and we do not have it now. The taxpayers of this country are being loaded with debt and taxes. This bill ought to be defeated.

Mr. REES of Kansas. Mr. Speaker, the chairman of the committee has made a fine, concise statement covering a very complex salary schedule. It is a subject with which he is thoroughly familiar—made doubly so by the fact that he spent so much time and so much effort in attempting to clear the salary schedules and the relative positions of the executive branch of the Government with the leadership of the Congress and responsible officials of the White House.

It is seldom, in my experience, that a bill as complex as this one, a bill which must with necessity involve so many personalities and positions of such importance, could be approved without amendment.

Our committee approved this bill without amendment by a substantial vote. I might say that this was a vote not only of a job well done but a vote of complete confidence in the Chairman of the Post Office and Civil Service Committee who has done such an outstanding job in this Congress.

Addressing myself now to the principle involved in this request of the President, in my opinion this is in much the same category as legislation which we passed involving our own housekeeping plans for the legislative budget.

The positions of the individuals covered by this legislation represent the official family of the President. With but few exceptions they are appointed by the President, and with the advice and consent of the Senate. We should treat this request of the President, and approach the consideration of this legislation, in the same spirit that he has accorded our own problems.

I can think of no more appropriate time than this to say something that has been long on my mind. It is this: Never in the history of this Government has there been a President who has been more concerned that the Congress and its Members be given proper recognition at the highest level in our Gov-

The President has been most generous in his consultation with the leadership of the Congress. His thoughtfulness, his kindly consideration, have won for him many friends on both sides of the aisle. It has won for him the approval of outstanding legislative programs in the 83d Congress and this first session of the 84th Congress.

The President has consistently and strongly asserted that Congress is the very essence of the Democratic Government we enjoy. His request in this executive pay bill is consistent with that policy. He has recommended that only officers at the Cabinet level be paid more than Members of Congress. He has done this forthrightly, despite comments from other directions and, I am sure, many pressures, pointing out that although for years many executives of the Government were paid more than Members of Congress, this has never been justified and should be corrected.

I hope that this legislation will be adopted in the spirit in which it is sent down, a spirit of correcting inequities and of bringing into line the salaries of his official family as a final link in the many adjustments that have been made in the Federal salary schedules.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill, H. R. 7619?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### EXTENDING MAILING PRIVILEGES TO MEMBERS OF THE ARMED FORCES

Mr. MURRAY of Tennessee. Mr. Speaker, I ask unanimous consent to file a supplemental report on the bill (H. R. 7125) to extend to June 30, 1956, the free mailing privileges granted by the act of July 12, 1950, to members of the Armed Forces of the United States.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

#### FLOOD-CONTROL IMPROVEMENT AT ST. LOUIS, MO.

Mr. DAVIS of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 7092) to provide for the improvement of the Mississippi River at and in the vicinity of St. Louis, Mo., for flood control, as amended.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the following work of improvement for the control of destructive floods is hereby adopted and authorized to be prosecuted under the direction of the Secretary of the Army and the supervision of the Chief of Engineers in accordance with the plans in the report hereinafter designated and subject to the conditions set forth therein:

Mississippi River, at and in the vicinity of St. Louis, Mo., in accordance with the recommendations of the Chief of Engineers in Senate Document No. 57, 84th Congress, 1st session, at an estimated cost of \$123,020,000.